REMARKS

Claims 1-62 are pending. Claims 1-62 are rejected. No new subject matter has been added. Claims 1-62 remain pending. Reconsideration of the claims is requested in light of the following remarks.

Claim Objections

Claim 4 is objected to on grounds of an insufficient antecedent basis for "*the* packets" in line 3. Claim 4 has been appropriately corrected and its allowance is requested.

Claim Rejections - 35 USC § 102

Claims 1-5, 8, 14-16, 24-27, 33-35, 43-47, 49, and 54-56 are rejected under 35 USC 102(e) as being anticipated by Fujisaki et al. (US 6,466,574). Claims 1, 24 and 43 have been amended to overcome the anticipation rejection by Fujisaki. Particularly, claims 1, 24 and 43 include a similar limitation of the previous limitation from claims 4, 26 and 46, namely, "adding at least some of the redundant data to the original packets." Fujisaki only discloses replicating packets, but not adding the redundant data to the original packets. Therefore, allowance is requested for claims 1, 24 and 43. Claims 2-5, 8, 14-16 depend from claim 1, claims 25-27 depend from claim 24, claims 44-47, 49 and 54-56 depend from claim 43. Since dependent claims necessarily contain the limitations of claims from which they depend, allowance is requested for claims 2-5, 8, 14-16, 25-27, 44-47, 49 and 54-56.

Claim 33 as amended states,

A retransmitting device for use in a network comprising a first device and a second device and operating according to a packet network communication protocol, comprising: a processor configured to:
receive from the first device original voice data in an original packet *containing a replication flag*;
transmit to the second device the original packet;
determine whether a replication flag is set; and
if so, generate redundant data by replicating the original voice data, and transmit the redundant data to the second device.

Examiner claims that col. 8 lines 53-col. 9 line 19 discloses determining whether a replication flag is set. Col. 8 lines 53-col. 9 line 19 only disclose a process for producing a random number of replicas. More particularly, a two part number (integer, decimal) where the integer determines the number of replicas and the decimal determines the percentage of

overall packets that will receive replica treatment. This does not include a retransmitting device or determining whether a replication flag is set, where the replication flag was contained in the original packet. Fujisaki contemplates a "redundant media transmission enabled network access point[s]", col 13 line 60 - col. 14 line 39, and further states that this access point is a router with the "functions of source and/or destination computers combined with the functions of reflection routers." However, Fujisaki also limits this functioning in the access point (for example, col 14 lines 21-23 states, "no additional software needs to be operating on the source and/or destination computer." Therefore Fujisaki does not contemplate *receiving from the first device original voice data in an original packet containing a replication flag...* and *determining whether a replication flag is set.* Allowance is therefore requested for claim 33. Claims 34 and 35 depend from claim 33. Since dependent claims necessarily contain the limitations of claims from which they depend, allowance is requested for claims 34 and 35.

Claim Rejections – 35 USC § 103

Fujisaki in view of Perreault

Claims 6, 10, 17, 30, 36, 48, 51, and 57 are rejected under 35 USC 103(a) as being unpatentable over Fujisaki et al. in view of Perreault et al. (US 6,169,728). Perreault involves an apparatus and method for spectrum management in a multipoint communication system that controls upstream channel usage for secondary stations transmitting information to a primary station and downstream channel usage for secondary stations receiving information from a primary station. Therefore Fujisaki and Perreault, even in combination, do not involve *adding at least some of the redundant data to the original packets.* Allowance is therefore requested for claims 6, 10, 17, 30, 48, 51, and 57.

Similarly, Fujisaki and Perreault, even in combination, do not contemplate *receiving from the first device original voice data in an original packet containing a replication flag...* and *determining whether a replication flag is set.* Therefore allowance is requested for claim 36.

Fujisaki in view of Perreault and further in view of Pandula

Claims 7 and 29 are rejected under 35 USC 103(a) as being unpatentable over Fujisaki et al. in view of Perreault et al. and further in view of Pandula (US 5,640,415). Pandula involves a technique of redundantly retransmitting digitized voice data on *multiple sequential frequencies* to increase the channel bit rate above the minimum required for

normal communication in a *frequency*-hopping communication system for digitized voice signals. Therefore Fujisaki, Perreault and Pandula, even in combination, do not involve *adding at least some of the redundant data to the original packets*. Allowance is therefore requested for claims 7 and 29.

Fujisaki in view of Tsunoda

Claims 9, 21-23, 28, 40-42, 50 and 60-62 are rejected under 35 USC 103(a) as being unpatentable over Fujisaki et al. in view of Tsunoda (US 6,516,435). Tsunoda involves a code transmission scheme for a communication system using *error correcting codes*, where a transmitting side generates at least one transmitting side syndrome value by carrying out a syndrome calculation for the information to be transmitted, and transmits to a receiving side at least one information packet containing the information to be transmitted and at least one redundant packet containing the transmitting side syndrome value. Then, upon receiving at least a part of the information packet and the redundant packet, the receiving side obtains at least one receiving side syndrome value by carrying out a syndrome calculation for an information containing in the information packet as received, and performs error correction, if required, by calculating a difference between the transmitting side syndrome value contained in the received redundant packet, and the syndrome value contained in the receiving side syndrome value, so that a circuit size and an amount of software programs can be reduced without affecting the error correcting performance. Fujisaki and Tsunoda, even in combination, do not involve *adding at least some of the redundant data to the original packets*. Allowance is therefore requested for claims 9, 21-23, 28, 41-42, 50 and 60-62.

Similarly, Fujisaki and Tsunoda, even in combination, do not contemplate *receiving from the first device original voice data in an original packet containing a replication flag...* and *determining whether a replication flag is set*. Therefore allowance is requested for claim 40.

Fujisaki in view of Dedrick

Claims 11, 12, 18, 19, 31, 32, 37, 38, 52, 53, 58 and 59 are rejected under 35 USC 103(a) as being unpatentable over Fujisaki et al. in view of Dedrick (US 5,754,787). Dedrick involves a smart electronic information transport router which correctly transmits electronic information when connected to multiple parallel but bandwidth diverse transport channels. Fujisaki and Dedrick, even in combination, do not involve *adding at least some of the*

redundant data to the original packets. Allowance is therefore requested for claims 11, 12, 18, 19, 31, 32, 52, 53, 58 and 59.

Similarly, Fujisaki and Dedrick, even in combination, do not contemplate *receiving from the first device original voice data in an original packet containing a replication flag…* and *determining whether a replication flag is set.* Therefore allowance is requested for claims 37 and 38.

Fujisaki in view of Dedrick in further view of Sidhu

Claims 13, 20 and 39 are rejected under 35 USC 103(a) as being unpatentable over Fujisaki et al. in view of Dedrick in further view of Sidhu et al. (US 6,366,959). Sidhu involves a method an apparatus for communication system *buffer size and error correction coding selection.* Therefore Fujisaki, Dedrick and Sidhu, even in combination, do not involve *adding at least some of the redundant data to the original packets.* Allowance is therefore requested for claims 13, 20 and 39.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-62 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613
Customer No. 20575

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Signature:

Judy Wigmore
Judy Wigmore

Docket No. 2705-119   Page 15 of 15   Application No. 09/702,196

PAGE 16/16 * RCVD AT 8/17/2004 7:27:09 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:5032744622 * DURATION (mm-ss):04-58